



Rec'd PET/PTO 28 MAY 2003

Attorney Docket No.: 19374-501

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am original, first and joint inventor of the subject matter which is claimed and for which a utility patent is sought on the invention entitled:

**TOPICAL USE OF PROBIOTIC BACILLUS SPORES TO PREVENT OR
CONTROL MICROBIAL INFECTIONS**

the specification of which was filed on March 22, 2000, as United States Provisional Application U.S.S.N. 09/509,159, bearing Attorney Docket No. 19374-501.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- ☒ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Appln. Number	Country (if PCT, so indicate)	Filing Date (dd/mm/yy)	Priority Claimed	
			Yes	No
US98/07307	PCT	04/10/98	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>



I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. (U.S.S.N.)	Filing Date (dd/mm/yy)	Status (Patented, Pending, Abandoned)
60/044,643	04/18/97	Abandoned

PCT International Applications designating the United States:

PCT Appln No.	US Serial No.	PCT Filing Date	Status
PCT/US98/07307		04/10/98	Published

I hereby appoint the attorneys and/or agents associated with Mintz Levin Cohn Ferris Glovsky & Popeo, Customer Number:



30623

PATENT TRADEMARK OFFICE

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

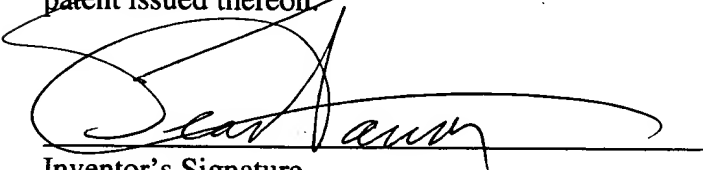
Please address all telephone calls to Ivor R. Elrifi at telephone number 617/348-1747. Please address all correspondence to:



30623

PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.


Inventor's Signature

Date

5/12/2003

Full Name of Inventor: Sean Farmer

Citizenship: United States

Residence: 4937 Rockford Drive, San Diego, CA 92115 USA

Post Office Address: 4937 Rockford Drive, San Diego, CA 92115 USA

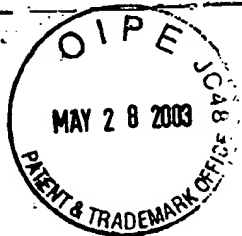
Inventor's Signature_____
Date

Full Name of Inventor: Robert J. Mikhail

Citizenship: United States

Residence: 13310 Morning Glory Drive, Lakeside, California 92040

Post Office Address: P.O. Box 21424, El Cajon, California 92021



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28 MAY 2003

Attorney Docket No.: 19374-501

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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am original, first and joint inventor of the subject matter which is claimed and for which a utility patent is sought on the invention entitled:

**TOPICAL USE OF PROBIOTIC BACILLUS SPORES TO PREVENT OR
CONTROL INFECTIONS**

the specification of which:

☒ was filed on April 18, 1997, as United States Provisional Application U.S.S.N. 60/044,643, bearing Attorney Docket No. 19374-501.

☐ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

☒ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

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US98/07307	PCT	04/10/98	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

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28 MAY 2003

- ☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(e) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

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PCT International Applications designating the United States:

PCT Appln No.	US Serial No.	PCT Filing Date	Status
PCT/US98/07307		04/10/98	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney or Agent	Registration No.	Attorney or Agent	Registration No.
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Ingrid A. Beattie	42,306	Robert V. Klauzinski	42,742
William Belanger	40,509	Kristin E. Konzak	44,848
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Yong Choi	43,324	William A. Marino	44,219
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Mariame Downing	42,870	Bradley Olson	40,750
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Brian P. Hopkins	42,669	Thomas M. Sullivan	39,392
Shane Hunter	41,858	Janine M. Susan	46,119
David E. Johnson	41,874	Howard Susser	33,556
Kris Kalidindi	41,461	Shelby J. Walker	45,192

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28 MAY 2003

Address all telephone calls to Ivor R. Elrif at telephone number 617/348-1747.
Address all correspondence to:

Ivor R. Elrif
Mintz, Levin, Cohn, Ferns, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

100
Inventor's Signature

Full Name of Inventor: Sean Farmer

Citizenship: United States

Residence: 8938-6 Villa La Jolla Drive, La Jolla, California 92037

Post Office Address: 8938-6 Villa La Jolla Drive, La Jolla, California 92037

Date

200
Inventor's Signature

Full Name of Inventor: Robert J. Mikhail

Citizenship: United States

Residence: 1403-B, East Lexington Avenue, El Cajon, California 92019

Post Office Address: 1403-B, East Lexington Avenue, El Cajon, California 92019

Residence: 13310 Morning Glory Dr., Lakeside, CA 92040

Post Office Address: P.O. Box 21528, El Cajon, CA 92021

Date

TRADOC 11374479.1 (RQTRG1) (DOC)
02/10/00

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Diego

SS.

On

May, 12, 2003

Date

, before me,

Mohamed E. Kamel

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

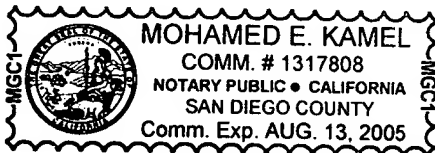
Sean Farmer

Name(s) of Signer(s)

☐ personally known to me

☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Mohamed E. Kamel

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Combined Declaration and Power of Attorney
For Patent Application

Document Date:

5/12/03

Number of Pages:

3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**

Top of thumb here

ALL-PURPOSE ACKNOWLEDGEMENT

09/509159

State of California

County of RIVERSIDE

SS.

On 4/28/03

(DATE)

before me, ROBERT MIKAIL

(NOTARY)

personally appeared ROBERT MIKAIL

SIGNER(S)

☒ personally known to me - OR -

☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

Comb. Decl. & POA for Patent
TITLE OR TYPE OF DOCUMENT

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NUMBER OF PAGES

4/28/03

DATE OF DOCUMENT

OTHER _____

RIGHT THUMBPRINT
OF
SIGNER

